

## 19-034214 CAM4

4. Todd D. Polin and Heather E Polin (collectively, "Debtor") filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code on May 25, 2018, ("Petition").

5. Debtor is currently obligated to Wells Fargo Bank, N.A., d/b/a Wells Fargo Auto, under the terms of a certain Retail Installment Sale Contract Simple Finance Charge, dated May 26, 2015, in the original principal amount of \$16,013.64 executed by Debtor (the "Contract") for the purchase of a 2012 Kia Sorento VIN# 5XYKT3A14CG256553 (the "Collateral"), attached hereto as Exhibit "A".

6. As security for repayment of the Note, Debtor caused the title to the Collateral to be delivered to Creditor. As a result, Creditor is the holder of a security interest encumbering the Collateral. A copy of the Lien and Title Information (the "Title") is attached hereto as Exhibit "B".

7. Creditor's best information is that there is no other entity claiming a lien on the Collateral.

8. Debtor is in default by failing to make payments as required under the Contract.

9. The total loan balance due to Wells Fargo Bank, N.A., d/b/a Wells Fargo Auto is \$6,338.04, as of September 20, 2019.

10. Debtor has failed to make post-petition payments for the past 4 months as of September 20, 2019, with arrears in the amount of \$1,164.35.

11. Debtor has inconsequential equity in the Property. Creditor believes that the Property has a value of \$8,725.00 based on the NADA reports, which are attached hereto as "Exhibit C". Although it may appear that the Collateral could potentially have equity, Creditor asserts that the amount of equity would be inconsequential and contingent on the conditions of the current market, Creditor alleges that the costs of sale would eliminate any potential equity.

Therefore, Creditor asserts that any equity in the Collateral is burdensome and/or of inconsequential value and benefit to the estate.

12. The automatic stay of Section 362 of the Bankruptcy Code should be terminated with respect to the interest of Wells Fargo Bank, N.A., d/b/a Wells Fargo Auto in the Collateral, pursuant to Section 362(d)(1).

WHEREFORE, Wells Fargo Bank, N.A., d/b/a Wells Fargo Auto respectfully requests this Honorable Court to enter an order terminating the Automatic Stay as it affects the interest of Wells Fargo Bank, N.A., d/b/a Wells Fargo Auto in the Collateral of the Debtor specifically identified in the Contract, and granting such other relief as this Honorable Court may deem just.

Respectfully submitted,

/s/ Karina Velter

Karina Velter, Esquire (94781)

Adam B. Hall (323867)

Sarah E. Barngrover (323972)

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Attorneys for Creditor

The case attorney for this file is Karina Velter.

Contact email is kvelter@manleydeas.com

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>In re:</b>	:	
	:	<b>Case No.: 18-13469</b>
<b>Todd D. Polin</b>	:	<b>Chapter 13</b>
<b>Heather E Polin</b>	:	<b>Judge Eric L. Frank</b>
	:	<b>*****</b>
	:	
		<b>Debtor(s)</b>
	:	
<b>Wells Fargo Bank, N.A., d/b/a Wells</b>	:	<b>Date and Time of Hearing</b>
<b>Fargo Auto</b>	:	<b>Place of Hearing</b>
	:	<b>October 29, 2019 at 9:30 a.m.</b>
	:	
<b>vs</b>	:	<hr/>
	:	<b>U.S. Bankruptcy Court</b>
<b>Todd D. Polin</b>	:	<b>900 Market Street, Courtroom #1</b>
<b>Heather E Polin</b>	:	<b>Philadelphia, PA, 19107</b>
	:	
<b>William C. Miller, Esq.</b>		
		<b>Respondents.</b>

# CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion for Relief from the Automatic Stay to permit Wells Fargo Bank, N.A., d/b/a Wells Fargo Auto to Repossess 2012 Kia Sorento VIN# 5XYKT3A14CG256553 was served on the parties listed below via e-mail notification:

United States Trustee, Office of the U.S. Trustee, 200 Chestnut Street, Suite 502,  
Philadelphia, PA 19107

William C. Miller, Esq., Chapter 13 Trustee, P.O. Box 1229, Philadelphia, PA 19105

Brad J. Sadek, Attorney for Todd D. Polin and Heather E Polin, Sadek and Cooper, 1315 Walnut Street, Suite 502, Philadelphia, PA 19107, brad@sadeklaw.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on October 3, 2019:

Todd D. Polin and Heather E Polin, 328 N. Penn Street, Hatboro, PA 19040

Todd Daniel Polin, 328 N Penn St, Hatboro, PA 19040

DATE: October 3, 2019

/s/ Karina Velter

Karina Velter, Esquire (94781)

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